

ARTICLE 2: DEFINITIONS

Section 2.1. Definitions.

For the purposes of these regulations, the following words and terms have the meanings specified in this part:

(A) **"A"**

(1) **Abandon**

To cease the regular use or maintenance of a lot, building, or structure.

(2) **Abutting**

Having common property boundaries or lot lines which are not separated by a street or other type of public way.

(3) **Accessory Structure or Use**

A use of structure that is customarily or typically subordinate to and serves a principal use or structure; is clearly subordinate in area, extent, or purpose to the principal use or structure served; and is located on the same lot as the principal use or structure.

Such features as television reception discs, potable well water housing, hand radio operator features, patios, swimming and fish/lily pools including screening of such pools, tool sheds, utility buildings, and hot tubs are examples of accessory uses and structures.

(4) **Adjacent**

Either abutting or being directly across a street, other public way, or body of water which does not exceed 100 feet in width.

(5) **Adult Day Care/Health Services**

Adult day care means the provision of group care and supervision in a place other than their usual place of abode on a less than 24-hour basis to adults who may be physically or mentally disabled. The following programs are exempted from the provisions of N.C.G.S. 131D-6:

- those that care for three people or less;
- those that care for two or more persons, all of whom are related by blood or marriage to the operator of the facility;

- those that are required by other statutes to be licensed by the Department of Human Resources.

Adult day health services is the provision of an organized program of services during the day in a community group setting for the purpose of supporting an adult's personal independence, and promoting his social, physical, and emotional well-being. Services must include health care services as defined by the *North Carolina Adult Day Care and Day Health Services Standards for Certification* and a variety of program activities designed to meet the individual needs and interests of the participants, and referral to and assistance in using appropriate community resources. Also included are food and food services to provide a nutritional meal and snacks as appropriate to the program.

Any Adult Day Care/Health Services shall be no closer than one-half (½) mile radius from any existing and/or permitted Adult Day Care/Health Services. The distance shall be measured by following a straight line from the nearest point of the lot line of the proposed use to the nearest point of the lot line for the lot on which the existing facility is located.

Transportation to and from the service facility is provided or arranged for when needed and not otherwise available within the geographical area specified by the day health program. Rev. 12/01/03

(6) **Adult & Sexually Oriented Businesses**

(a) **Adult Arcade.**

An establishment where, for any form of consideration, one or more motion picture projectors, slide projectors, or similar machines for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas (as defined hereinafter).

(b) **Adult Bookstore.**

An establishment that has as substantial portion (over 25% of total retail space) of its stock-in-trade and offer for rent or sale, for any consideration, any one or more of the following: 1) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or 2) instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.

- (c) Adult Business.
An adult business shall be defined as any business activity, club or other establishment which permits its employees, members, patrons or guests on its premises to exhibit any specified anatomical areas before any other person or persons.
- (d) Adult Motion Picture Theater.
An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown, and in which a substantial portion (25%) of the total presentation time is devoted to the showing of material characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.
- (e) Adult Theater.
A theater, concert hall, auditorium or similar establishment characterized by (activities featuring) the exposure of specified anatomical area or by specified sexual activities.
- (f) Massage.
Any manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping, by hand or mechanical device.
- (g) Massage Business.
Any establishment or business wherein massage is practiced, including establishments commonly known as massage studios or massage parlors. Excluded from this definition are legitimate massage therapists, bodywork therapists, or contact manipulation therapists, working under the direct supervision of a licensed Physician, or who in the regular course of their respective businesses, have been licensed or certified by any governmental subdivision in North Carolina, or licensed or certified by a recognized association or organization on file with the North Carolina Secretary of State, the North Carolina Board of Chiropractic Examiners, North Carolina Board of Medical Examiners, N.C. Board of Occupational Therapy, NC Board of Physical Therapy Examiners, or Board of Podiatry Examiners, or have been certified or licensed by a national organization and similarly registered.
- (h) Sexually Oriented Business.
A sexually oriented business shall be defined as any business activity, club or other establishment, within which the exhibition, showing, rental, or sale of materials distinguished or characterized by an emphasis on material depicting, describing, or exhibiting specified anatomical areas or relating to specified sexual activities is permitted. Sexually oriented

businesses shall include, but are not limited to: adult arcades, adult bookstores, adult motion picture theaters, adult theaters, massage businesses, as defined by this ordinance.

(i) Specified Anatomical Areas.

Specified anatomical areas shall be defined as less than completely and opaquely covered human genitals, pubic regions, buttocks and female breasts below a point immediately above the top of the areola.

(j) Specified Sexual Activities.

Specified sexual activities shall be defined as:

- (i) Human genitals in a state of stimulation or arousal;
- (ii) Acts of human masturbation, sexual intercourse, sodomy; or
- (iii) Fondling of other erotic genitals, pubic regions, buttocks or female breasts.

(k) Total Retail Space.

Any space within the structure that is used for the direct sale of merchandise to the public and storage areas for those items.

(7) **Agri-Business**

A specialized activity associated with, or serving bona fide farms and the general public, including marketing, processing, packaging, transporting, and wholesale or retail sale of products, which products consist of a central component which is produced on or benefits a bona fide farm. An Agri-Business is not an Agricultural Industry.

(8) **Agricultural Industry**

Except for home consumption on bona fide farms and Agri-Business activities, processing of fish, shellfish, poultry, and other natural and manmade animal, vegetable or mineral organisms including fur bearing animals, mice and rats, rabbits, winged animals, carnivorous animals, snakes; culturing, processing development and production of any bona fide farm product; packing, selling, displaying, or distributing or other activity with any non-bona fide farm commodity.

(9) **Airport**

A facility intended and used as the place where one or more fixed-wing or rotary-wing aircraft are regularly stored, maintained, or repaired while not in flight with an area that the aircraft may use to take off and land.

(10) **Amendment**

Any change to the text of these regulations or the official zoning maps by the Board of Commissioners or an administrative change.

(11) **Amortization**

The process of providing for a timed extinction of a use which is not in compliance with this Ordinance.

(12) **Animal Hospital/Veterinary Clinic**

A place or facility which provides dental, medical or surgical care for dogs, cats and other domesticated animals. Kennels are not included within this definition.

(13) **Arboretum**

A place for the scientific study and public exhibition of trees, shrubs, and plants, including unique features such as butterfly rooms.

(14) **Automotive Graveyard**

Any establishment or place of business which is maintained, used or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined or dismantled motor vehicles, motor vehicle parts, boats, lawn mowers, tractors, and similar appliances. Any establishment or place of business upon which two or more unlicensed, used motor vehicles or boats or similar equipment which cannot be operated under their own power shall be deemed an automobile graveyard, and thus a junkyard.

(15) **Automotive Repair**

A building designed and used for the storage, care, and repair of motor vehicles including motors of boats and planes including both minor and major mechanical overhauling, paint and body work.

(B) **"B"**

(1) **Board Of Adjustment**

The Zoning Board of Adjustment of the County of Brunswick.

(2) **Bona Fide Farm**

Any tract of land containing at least one acre which is used for activities relating to production, and activities incidental to production of crops, fruits, vegetables, ornamental and flowering plants, grasses and grains, forest products, dairy,

livestock, fish and shellfish, poultry, and other agricultural products having a domestic or foreign market, and excludes commercial and industrial processing.

(3) **Buffer**

A strip of land with natural or planted vegetation located between a structure and a property line intended to separate and partially obstruct the view of two adjacent land uses or properties from one another. A buffer area may include any required screening for the site.

(4) **Buildable Area**

The area of a zoning lot remaining after the minimum setback requirements of this Ordinance have been satisfied.

(5) **Building**

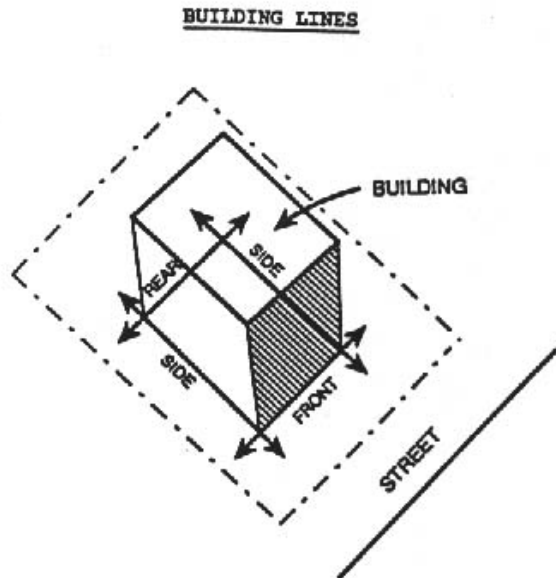
A temporary or permanent structure having a roof supported by columns or walls and which can be used for the shelter, housing, or enclosure of person, animals, or goods. Manufactured homes and modular homes are buildings.

(6) **Building Height**

The height of a building shall be measured from average finished grade at the front of a building or structure to the highest point of the building.

(7) **Building Lines**

Lines that are tangent to the exterior surface of buildings or structure, parallel to front, side and rear lot lines, and referred to as front, side and rear building lines, respectively.



(8) **Building Site**

An area of land or property where development is undertaken.

(C) **"C"**

(1) **Cabinet and Woodworking Shops**

Establishments engaged in manufacturing fabricated mill work, cabinets, hardwood dimension, structural wood members, containers and other wood products, but excluding the processing of raw logs from the field.

(2) **Camper**

A folding structure manufactured of metal, wood, canvas, plastic, or other materials, or any combination thereof, mounted on wheels and designed for travel, recreation, or vacation use. A camper is not designed or intended to be used as a permanent dwelling. Campers may also include the following:

- (a) **Travel trailer:** A vehicular, portable structure built on chassis, designed to be towed by a self-propelled vehicle for use for travel, recreation, or vacation purposes. A travel trailer is not designed or meant to be used as a permanent dwelling.

(b) **Recreational Vehicle:** A self-propelled vehicle or portable structure mounted on such a vehicle designed as temporary dwelling for travel, recreation, and vacation.

(c) **Tent:** A portable shelter of canvas, plastic, or skins stretched over a supporting framework of poles with skins stretched over a supporting framework of poles with ropes and pegs.

(3) **Camper Space**

A plot of land within a campground designed for the accommodation of one (1) camper or tent.

(4) **Campground**

Any lot upon which fifteen (15) or more campers or tent spaces are provided for temporary occupancy according to requirements as set forth in this ordinance. A campground shall also be known as a recreational vehicle park, or travel trailer park.

(5) **Car Wash**

A facility where motor vehicles are washed, cleaned, and/or waxed by hand or with manually-operated equipment or automatic machinery.

(6) **Cemetery**

A place for the burial of the dead. A cemetery can be a combination of one or more of the following, in a place used or to be used and dedicated or designated for such purposes:

- (a) A burial park, for earth interment.
- (b) A mausoleum, for burial above the ground.
- (c) A columbarium, a structure substantially above the ground, for interment of the cremated remains of a deceased person.

(7) **Cemetery, Private**

As above, but where the owning entity, generally an extended family, fraternal order, or religious sect, does not sell or lease grave sites of any nature.

(8) **Church**

A religious institution often in the character of a church, temple, synagogue, mosque, or store-front operation, providing education, fellowship, service including outreach, worship and sanctuary, including various accessory uses and

structures, such as schools, day care centers, Good Shepherd facilities providing without cost clothing, food, financial help, medical services, and catering to other needs such as temporary shelter for the Homeless. Such accessory features also include dwelling units for one or more staff, nunneries, senior citizen housing, nursing care facilities, monastic quarters, and orphanages, all on the same lot.

(9) **Club or Lodge (Private Nonprofit, Civic or Fraternal)**

A nonprofit association of persons, who are bona fide members paying dues, which owns, hires or leases a building, or portion thereof; the use of such premises being restricted to members and their guests but excluding adult establishments.

(10) **Cluster Development**

A tract of land, at least ten (10) acres in area, under individual, corporate, firm, partnership, or association ownership, planned and developed as an integral unit, in a single development operation or a definitely programmed series of development operations, and according to an approved preliminary site plan.

(11) **Commercial Recreational Facilities**

Establishments engaged in providing indoor/outdoor amusement or entertainment services. This definition includes all uses in the following groups:

- (a) Amusement Parks.
- (b) Outdoor Theater.
- (c) Sports Facilities.

(12) **Common Open Space**

An area of open space within a development site designed and intended for the use and enjoyment of residents of the development or for the general public.

(13) **Condominium**

The ownership of single units in a structure with common areas and facilities.

(14) **Condominium Unit**

An enclosed space consisting of one or more rooms occupying all or part of a floor in a building of one or more floors or stories regardless of whether it is designed for residence, office, the operation of any industry or business, or any type of independent use and shall include such accessory spaces and areas as may be described in the declaration, such as garage space, storage space, balcony, terrace or patio.

(15) **Construction and Demolition Landfills**

Disposal facilities which store solid waste resulting solely from construction, remodeling, repair, or demolition operations on buildings or other structures, land-clearing debris (solid waste that is generated from land clearing activities such as stumps, tree, etc.), inert debris (solid waste which consists of material that is virtually inert, such as brick, concrete, rock, clean soil, and used asphalt), untreated wood, and uncontaminated earth.

(D) **"D"**

(1) **Day Care Facility**

Any child care arrangement which provides day care on a regular basis for more than four (4) hours per day for more than five (5) children, wherever operated and whether or not operated for profit, except that the following are not included: public schools; non-public schools whether or not accredited by the N.C. State Department of Public Instruction, which regularly and exclusively provide a course of grade school instruction to children who are of public school age; summer camps having children in full-time residence; summer day camps; and Bible schools normally conducted during vacation periods.

(2) **Density**

The total number of residential use units per acre of land. Density is determined by dividing the number of residential use units by the total number of lot acres. The entirety of a lot is included in the calculation including, but not limited to, wetlands, ponds and marsh.

(3) **Dewatering**

Withdrawal by mechanical means of subsurface water so as to effect drawdown, and to allow a dry environment below the natural water table.

(4) **Drawdown**

Reduction in head at a point, caused by the withdrawal of water from an aquifer.

(5) **Drive-In Restaurant or Refreshment Stand**

Any place or premises used for sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.

(6) **Dwelling Unit**

A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, food preparation and sanitation.

Among the types of dwelling units regulated in this Chapter are:

(a) **Single Family House.**

Also called Single Family Residence and Single Family Dwelling, being a detached unit.

(b) **Multi-Family Dwelling.**

Two or more dwelling units sharing common walls, and possibly sharing common floors and ceilings.

(c) **Townhouse.**

A Single Family Dwelling Unit constructed in a series of attached units with property lines separating such units.

(d) **Manufactured Home.**

Manufactured Home shall be defined in accordance with the N.C. State Building Code.

(i) **Manufactured Home, Class A.**

A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

(a) The minimum width (the width being the narrower of the two overall dimensions) of the main body of the manufactured home as assembled on the site shall be at least twenty-two (22) feet for a distance extending along the length (the length being the longer of the two overall dimensions) of at least twenty (20) feet.

(b) The pitch of the roof of the manufactured home has a minimum vertical rise of two and two-tenths feet for each twelve feet of horizontal run; the roof is finished with a type of shingle that is commonly used in standard residential construction and which does not exceed the reflectivity of

gloss white paint; the roof has an overhang (eave) extending at least ten (10) inches from each vertical exterior wall. A site installed gutter may be counted in the width of the eave.

- (c) The exterior siding consists of wood, hardboard, vinyl, brick or aluminum and shall be comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction, and which does not exceed the reflectivity of gloss white paint.
- (d) A continuous, permanent masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, shall be installed upon a poured concrete footer after placement on the lot, and before occupancy.
- (e) The tongue, axis, transporting light, and removable towing apparatus are removed after placement on the lot and before occupancy.
- (f) The manufactured home is set up on the site in accordance with the standards set by the N.C. Department of Insurance.
- (g) Stairs, porches, entrance platforms and other means of entrance and exit to the manufactured home shall be installed and constructed in accordance with the standards set by the N.C. Department of Insurance.
- (h) The manufactured home is oriented on the site in such a manner that the side having the main entrance, and by design intended to be the front of the manufactured home, is generally parallel to a public street abutting the site.

(ii) Manufactured Home, Class B.

A manufactured home that meets all of the criteria of a Class A Manufactured Home, except criteria (b), (c), (d), (e), and (h), provided, however, said manufactured home shall be installed with permanent type non-reflective skirting specifically manufactured for manufactured homes, pressure treated wood (except plain standard-surface/pressure treated plywood shall not be considered acceptable), or masonry underpinning. Such underpinning or skirting shall be installed under all elements of the

manufactured home and be unpierced except for required ventilation and an access door."

(iii) Manufactured Home, Class C.

A manufactured home that meets all of the requirements of a Class A Manufactured Home, except criteria (a), (b), (c), (d), (e), and (h); provided however, said manufactured home shall be installed with permanent type non-reflective skirting specifically manufactured for manufactured homes, pressure treated wood (except plain standard-surface, pressure treated plywood shall not be considered acceptable), or masonry underpinning. Such underpinning or skirting shall be installed under all elements of the manufactured home and be unpierced except for required ventilation and an access door.

(iv) Manufactured Home, Class D.

A manufactured home that does not meet the requirements of a Class A, Class B, or Class C Manufactured Home.

(e) Modular Home.

A dwelling unit constructed in accordance with the standards set forth in the NC Uniform Residential Building Code, applicable to site-built homes, including Volume 1-B general construction, Volume II Plumbing, Volume III Mechanical, and Volume IV Electrical. The home is composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home may consist of several sections transported to the site in a manner similar to a mobile home except that the modular home meets the State Building Code applicable to site-built homes or a series of panels or room sections transported on a truck and erected or joined together on the site with a permanent foundation, with the steel frame removed.

(f) Bed and Breakfast House.

Any form of dwelling unit whose primary use is as a permanent residence but which offers extra bedrooms to whomsoever for payment resides there with food.

(g) Boarding House.

Any form of dwelling unit where meals and rooms are offered on a permanent or long-term basis, for remuneration.

(E) **"E"**

(1) **Educational Facilities**

Colleges, Universities, Professional Schools & Technical Institutions, Elementary & Secondary Schools, Libraries, and Museums. Kindergartens are not excluded.

(2) **Emergency Shelter**

A facility providing temporary lodging and ancillary services on its premises to primarily indigent, needy, homeless or transient persons and operated by a nonprofit, charitable, or religious organization. **Rev. 10/04/04**

(F) **"F"**

(1) **Family Care Home**

A home licensed pursuant to G.S. Chapter 131D, Article 1, for adults and children with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six (6) resident handicapped persons. A "handicapped person" as defined in G.S. 168-21(2) means a person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)b. If the home is not licensed under G.S. 131D, Article 1 or is exempt from State licensing, the home is a group home and a special exception is required.

Any Family Care Home shall be no closer than one-half (½) mile radius from any existing and/or permitted Family Care Home or Group Care Home. The distance shall be measured by following a straight line from the nearest point of the lot line of the proposed use to the nearest point of the lot line for the lot on which the existing facility is located.

(2) **Financial Institution**

A use or structure where financial, pecuniary, fiscal or monetary services are made available, including depository institutions, non-depository institutions, holding companies, other investment companies, brokers and dealers in securities and commodity contracts, security and commodity exchanges, cash checking services, bondsmen services, and pawn brokers. The word bank is interchangeable with the term financial institution in this Chapter.

(3) **Floating Structure**

Any structure or vessel in fact used, designed and occupied as a permanent dwelling unit, business or source of any occupation or any private or social club,

which floating structure or vessel is primarily immobile and out of navigation or which functions substantially as a land structure while the same is moored or docked on waters within County jurisdiction; whether such floating structure is self-propelled or not.

(G) **"G"**

(1) **Garage Service and/or Repair**

Buildings and premises for major repairs on automobiles, trucks, boats, and other equipment including large engines, body work, painting, and reconstruction.

(2) **Golf Course**

A tract of land designed and laid out for the game of golf having at least nine (9) holes, each with a tee, fairway, green, and one or more hazards. A clubhouse, pool and other facilities associated with a country club built around a golf course are considered part of the golf course. The minimum area for a nine (9) hole golf course shall be fifty (50) acres. The minimum area for an eighteen (18) hole golf course shall be one hundred (100) acres. Par 3 and Executive golf courses shall be a minimum of twenty (20) acres. Golf facilities not meeting these minimum requirements shall be considered commercial recreation uses.

(3) **Group Care Home**

A dwelling in which persons reside while receiving therapy or counseling to assist them in overcoming addiction to intemperate use of narcotics or alcohol, or in adjusting to society after or during imprisonment through such means as pre-release, work-release, or probationary programs. If a home does not meet the family care home definition, it is considered a group care home and a special exception is required.

Any Group Care Home shall be no closer than one-half (½) mile radius from any existing and/or permitted Family Care Home or Group Care Home. The distance shall be measured by following a straight line from the nearest point of the lot line of the proposed use to the nearest point of the lot line for the lot on which the existing facility is located.

(4) **Guesthouse**

A separate residence for guests, as a house on a private estate or a boarding house, of high standards.

(H) **"H"**

(1) **Hazardous Materials Treatment Facility**

A building, structure or use of land devoted, or intended to be devoted, primarily to changing by any method, technique or process, including incineration or neutralization, the physical, chemical, or biological character of any hazardous material regulated by the Federal Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901 et seq.), and the "North Carolina Solid Waste Management Act", as amended (Article 13B. G.S. 130-166.16), so as to neutralize such material or render it non-hazardous, safer for transport, amendable for recovery, amendable for storage or reduced in bulk. Such a use may also contain temporary storage facilities normally associated with these operations and of sufficient size to conduct a commercially feasible operation. However, under no circumstances is a hazardous materials treatment facility to be construed to be any of the following:

- (a) A facility which manufactures hazardous materials from component non-hazardous materials;
- (b) A facility or location for the long term or perpetual storage of hazardous materials; or
- (c) A facility for the treatment of hazardous materials which is clearly subordinate, incidental and related to the principal structure, building or use of land and is located on the same lot as the principal structure, building or use.

(2) **Heavy Manufacturing**

The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of sound, smoke, fumes, odors, glare, or health and safety hazards, including the following permissible or permitted uses in zoning districts prohibited under the definition of Light Manufacturing:

- (a) Heavy Equipment Repair.
- (b) Septic Tank Services.
- (c) Tire recapping.
- (d) Truck washing.
- (e) Under Wholesale Trade:
 - (i) Ammunition
 - (ii) Animals, and animal products.
 - (iii) Agricultural chemicals, pesticides or fertilizers.

- (iv) Chemicals and allied products.
- (v) Grain and field beans.
- (vi) Livestock.
- (vii) Lumber and other construction materials.
- (vii) Construction and mining machinery.
- (ix) Farm and garden machinery.
- (x) Minerals.
- (xi) Petroleum and petroleum products.
- (xii) Resins.
- (xiii) Scrap and waste industries.
- (xiv) Major demolition debris landfill.

- (f) Non-hazardous private solid waste disposal.

- (g) Under Manufacturing:
 - (i) Aircraft and aircraft parts.
 - (ii) Small arms ammunition.
 - (iii) Animal feeds, including dog and cat.
 - (iv) Animal slaughtering or rendering.
 - (v) Asbestos, abrasive, or related products.
 - (vi) Asphalt plant.
 - (vii) Batteries.
 - (viii) Alcoholic beverage products.
 - (ix) Chemicals, paints, and allied products.
 - (x) Concrete, cut stone, and clay products.
 - (xi) Heavy construction contractors operations.
 - (xii) Fabricated metal products.
 - (xii) Animal fats and oils.
 - (xiv) Canned, cured, or frozen fish.
 - (xv) Floor coverings other than carpet.
 - (xvi) Furniture manufacturing and woodworking facilities.
 - (xvii) Glass.
 - (xviii) Tanning involved in producing leather and leather products.
 - (xix) Packing and processing of meat and poultry.
 - (xx) Metal coating and engraving.
 - (xxi) Motor vehicle assembly.
 - (xxii) Coating and laminating of paper products.

- (xxiii) Petroleum and related products.
- (xxiv) Primary metal products, and foundries.
- (xxv) Pulp and paper mills.
- (xxvi) Raw rubbers and plastics.
- (xxvii) Surface active agents.
- (xxviii) Textile products where there is dyeing and finishing.
- (xxix) Tires and inner tubes.
- (xxx) Tobacco products.
- (xxxi) Wood products other than containers.
- (xxxii) Salvage yards, scrap processing.
- (xxxiii) Salvage yards, auto parts.
- (xxxiv) Sawmill or planing mill.

(3) **Home Occupations**

A Commercial activity conducted within a dwelling unit located in a residential zoning district, primarily by one or more occupants thereof. This activity shall be an accessory use which is clearly incidental and secondary to the residential use of the dwelling unit and shall be subject to the following restrictions:

- (a) The Home Occupation shall occupy an area not to exceed twenty-five (25) percent of the gross floor area of the dwelling unit. All activities shall be conducted entirely within the dwelling unit and are not permitted in a detached garage or other accessory structure.
- (b) There shall be no external evidence of the activity such as commercial vehicles, window displays, outside storage, smoke, noise, odors or other nuisances emitted from the premises.
- (c) Only one person may be employed who is not a resident of the dwelling.
- (d) No display of products may be visible from the street.
- (e) No infrastructure demands shall be generated by the Home Occupation in greater volumes that would normally be expected with a residential use.
- (f) Instruction in music, dance, and similar subjects shall be limited to two students at a time.

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- (4) **Hospital**
- An establishment primarily engaged in providing diagnostic services, extensive medical treatment including surgical services, and other services, as well as continuous nursing services. The establishment has an organized medical staff on duty 24 hours a day, inpatient beds and equipment and facilities to provide complete health care; may also provide emergency room care and include less intensive medical uses such as convalescent and ambulatory care facilities.
- (I) **"I"**
- (1) **Impervious Surface**
- Any surface which in whole or in part, restricts or prevents the natural absorption of water into the ground. Such surfaces may include, but not be limited to compacted earth (such as marl and coquina), gravel, concrete, asphalt, or other paving material, and all area covered by the footprint of buildings or structures. Uncovered wooden slatted decks and the water area of a swimming pool are considered pervious.
- (2) **Indoor Recreation**
- Public or private health or exercise clubs, tennis or other racquet courts, swimming pools, YMCA's, YWCA's or similar uses which constitute principal uses and are enclosed in buildings and are operated on a fee or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Indoor recreation" structures may include accessory uses, such as snack bars, pro shops, and locker rooms, which are designed and intended primarily for the use of patrons of the principal recreational use.
- (J) **"J"**
- (1) **Junkyard**
- Place which is maintained, operated, or used for storing, or keeping, dismantling, salvaging, buying, or selling scrap or junk including household appliances, paper, metals, rubber, rags, glass, or for maintenance or operation of an automobile graveyard, and the term shall include private garbage dumps, and private sanitary landfills. A junkyard is deemed an industrial activity.
- (2) **Junked Motor Vehicles**
- Motor vehicles which do not display a current license plate or a current registration sticker and which do not display a current inspection sticker issued by or in the same state as the license plate or registration sticker and:
- (a) are partially dismantled or wrecked; or

- (b) cannot be self-propelled or moved in the manner in which originally intended; or
- (c) is more than five (5) years old and appears to be worth less than one hundred dollars (\$100).

(K) **"K"**

(1) **Kennel**

A commercial non-incidental or non-profit establishment used as a housing facility for animals of any species, excluding domesticated livestock, engaged in any of the following:

- (a) Owning or keeping, for any purpose animals.
- (b) Leasing, selling and/or training guard dogs or security dogs.
- (c) Keeping animals at any given time for the purpose of boarding, grooming, training, breeding, or rehabilitation.

The housing facility shall be licensed by the Animal Health Division of the North Carolina Department of Agriculture and Consumer Services, Article 3, and constructed, designed or arranged to minimize noise impacts.

(L) **"L"**

(1) **Laboratory**

A facility for performing bacteriological, chemical, or other analyses.

(2) **Light Manufacturing**

The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed twenty-five (25) percent of the floor area of all buildings on the property.

(3) **Lot**

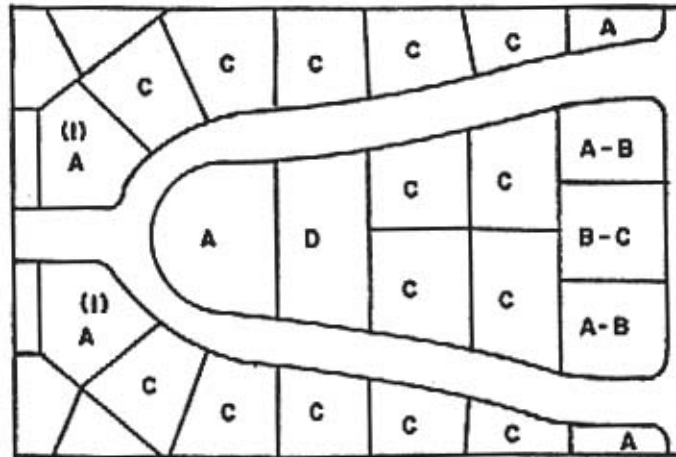
A parcel of land or a combination of several parcels of land occupied or intended to be occupied by a principal use or structure, with the accessory buildings and uses customarily incidental to it, including such open spaces as are required to make such lot usable under the terms of this Chapter. For the purposes of this Chapter, a parcel of land shall be considered a lot if the parcel:

- (i) has frontage on a public street, or

- (ii) has frontage on an officially approved private street through the Subdivision Ordinance, and
 - (iii) has been approved as a subdivision or an exemption to the Subdivision Ordinance, or
 - (iv) has been created through an heir division under the jurisdiction of the Clerk of Superior Court.
 - (b) All other land divisions not meeting this requirement existent at the effective date of passage of this Chapter shall be deemed a lot for purposes of this Chapter. For zoning purposes, a lot may consist of:
 - (i) A combination of complete lots of record;
 - (ii) A combination of complete lots of record and portions of lots of record;
 - (iii) Portions of lots of records, provided that such lots or combinations of lots are sufficient size to meet the requirements of this Chapter for the district in which located and no such portion falls below the average size of the lots of record in the block in question;
 - (iv) Single lots of record;
 - (v) Parcels of land defined by metes and bounds description where such parcels are in conformity with this Chapter and other laws of Brunswick County.
- (4) **Lot of Record**
- A lot that is shown on a subdivision recorded in the office of Register of Deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the Register of Deeds.

(5) **Lot Types**

The following diagram illustrates the terminology used in this Chapter with reference to corner lots, reversed frontage lots, interior lots, and through lots:

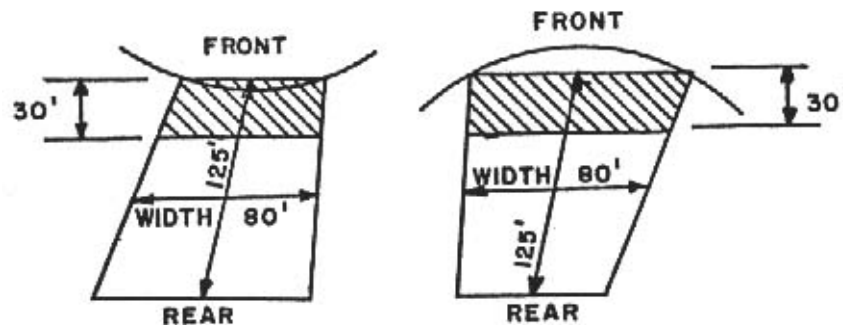


- (a) Corner lot, defined as a lot located at the intersection of two (2) or more intersecting streets. For the purpose of this Chapter, a lot abutting upon a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees. See the lot marked "A" (1) above.
- (b) Reversed frontage lot, defined as a lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot (see "A-B" and "B-C" in the diagram).
- (c) Interior lot, defined as a lot other than a corner lot, with only one frontage on a street other than an alley. See the lot marked "C" in the diagram.
- (d) Through lot, defined as a lot other than a corner lot, with frontage or more than one street other than an alley or limited access street. Through lots with frontage on two streets may be referred to as double-frontage lots. See the lot marked "D" in the diagram.

(6) **Lot Measurements**

- (a) Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost point of the side lot lines in the rear.
- (b) Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot line at each side of the lot measured parallel to a line established by joining the foremost points of the side lot lines and at half the depth of the lot.

Depth and width measurements are illustrated by the following diagrams:

(M) **"M"**(1) **Major Thoroughfare Plan**

The Brunswick County Thoroughfare Plan prepared by the North Carolina Department of Transportation in cooperation with the United States Department of Transportation and adopted by the Board of County Commissioners on October 5, 1987 and by the North Carolina Board of Transportation on February 12, 1988, or successor thereto.

(2) **Marinas**

Any publicly or privately owned dock, basin, or wet boat storage facility constructed to accommodate more than two boats and providing any of the following services: permanent or transient docking spaces, dry storage, fueling facilities, haul-out facilities, and repair services.

(3) **Manufactured Home Park**

Often known as Mobile Home Parks or House Trailer Parks, or Courts, being premises where manufactured homes are parked for living and sleeping purposes, or any premises used for or set apart for the purpose of supplying

parking space for mobile homes for living and sleeping purposes. Any such Park created after the effective date of this ordinance shall have a minimum of fifteen such spaces. A manufactured home park is not a manufactured home subdivision.

(4) **Mini-Storage Facility**

Small cubicles linked together in a single building or row of buildings for the purpose of renting storage space, usually on a temporary basis. This definition shall include mini-warehouse facilities, RV/camper and boat storage.

(5) **Mining Operations, Class I**

A place where soil or other unconsolidated material (i.e. sand, marl, rock, fossil deposits, peat, fill or topsoil) is removed to be used off-site, *without* further on-site processing (i.e. use of conveyor systems; screening machines; crushing; or other mechanical equipment). It does not involve dewatering or the use of explosives and has an affected land area of no greater than twenty (20) acres.

(6) **Mining Operations, Class II**

A place where soil or other unconsolidated material (i.e. sand, marl, rock, fossil deposits, peat, fill or topsoil) is removed to be used off-site *with or without* further on-site processing (i.e. use of conveyor systems; screening machines; crushing; or other mechanical equipment). It does not involve dewatering or the use of explosives and has an affected land area greater than one (1) acre.

(7) **Motor Vehicle Dismantling and Wrecking Yard**

Any open area of more than two hundred (200) square feet used for storing or dismantling inoperative or junked or wrecked motor vehicles.

(8) **Multi-Family Development**

A tract of land under individual, corporate, firm, partnership or association ownership, or under common control evidenced by duly recorded contracts or agreements; planned and developed as an integral unit in a single development operation or in a definitely programmed series of development operations. Such development shall consist of two (2) or more duplex buildings, or three (3) or more dwelling units sharing one (1) or more common walls. The development shall have a unified or coordinated design of buildings and a coordinated organization of service areas and common open space area.

(N) **"N"**

(1) **Noncommercial Copy**

A sign message through pictures, illustrations, symbols, and/or words, or any combination thereof, which does not contain any reference to a business or product but displays a substantive message, statement or expression that is protected by the First Amendment to the Constitution of the United States.

(2) **Non-Conforming Use or Structure**

A structure, land or premises, individually or in combination, the use, dimensions, or other characteristics of which were established and lawful prior to passage of this chapter or amendment hereof, but which would not be permitted to be built or used in the same manner under the terms of this Chapter or amendment hereof.

(3) **Non-Conforming Vacant Lot**

Any lot which does not meet the minimum area or width requirements established in these regulations for the Zoning District in which located.

(4) **Nude**

A situation involving a condition of individuals being unclothed or devoid of clothing.

(5) **Nursery**

A place where plants are grown commercially, either for sale directly to the public, other retailers, or to wholesalers.

(6) **Nursing Home**

A licensed facility providing care (i.e., Managed care and Convalescent homes) for three (3) or more sick, aged or disabled persons not related by blood or marriage to the operator. Nursing homes are classified as "dependent" and/or "independent" living facilities depending upon the degree of support services on site.

(O) **"O"**

(1) **Open Space**

An area of land or water which is open and unobstructed including areas maintained in a natural or undisturbed character or areas improved for active or passive recreation. "Open space" shall not include lands below mean sea level

except required impoundments or retention ponds, carolina bays, and pocosins, and areas covered with buildings, structures, streets or off-street parking areas, including landscaping associated with such parking areas.

(2) **Outdoor Advertising Structure**

A sign or billboard designed to carry outdoor advertising including all free standing, off-premise signs. On-premise signs exceeding minimum requirements of this ordinance shall be considered as an Outdoor Advertising Structure.

(3) **Outdoor Recreation**

Public or private golf courses, driving ranges, swimming pools, tennis courts, ball fields, and ball courts which are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Outdoor recreation" shall include any accessory uses, such as snack bars, pro shops, club houses, country clubs or similar uses which are designed and intended primarily for the use of patrons of the principal recreational use.

(4) **Outpatient Facility**

A medical facility providing treatment to a patient who is able to return home after care without an overnight stay (i.e., Surgical care, Urgent care or any other outpatient facility).

(P) **"P"**

(1) **Park**

Land consisting of open space, in grasses, trees, and possibly with shrubbery, sometimes providing paths for walking and bicycling, maintained as a public or semi-public use. Parks are usually either a formal landscape, or maintained in basically a natural state.

(2) **Parking Space**

A storage space for one (1) automobile, plus the necessary access space. It shall always be located outside the dedicated street right-of-way.

(3) **Parking – Loading Berth**

A space at least ten (10) feet in width and twenty-five (25) feet in length, with fourteen (14) feet minimum vertical clearance, accessible from a street or alley.

(4) **Personal Service Establishments**

An establishment primarily engaged in providing services to individuals and/or staff support services to businesses. Personal Services include the following list of uses:

- (a) Business Services
- (b) Beauty Shops
- (c) Barber Shops
- (d) Miscellaneous repair shops not including automobile repair

(5) **Planned Group of Structures**

More than one (1) primary structure on a single tract of land, under individual, corporate, firm, partnership, or association ownership, planned and developed as a group, in a single development operation or a definitely programmed series of development operations, and according to an approved preliminary site plan.

(6) **Planned Unit Development**

An area of land under unified ownership and control to be developed and improved as a single entity under a Unified Development Plan in accordance with and subject to the requirements of this ordinance, including as part of it an official detailed site development plan.

(7) **Planning Board**

The Planning Board of Brunswick County, North Carolina.

(8) **Private Clubs**

See "Club or Lodge".

(9) **Professional Offices**

An establishment primarily engaged in providing: engineering, architectural, and surveying services; accounting, auditing, and bookkeeping services; public relations services; legal services; real estate services; the services of insurance agents, brokers and carriers; the services of security and commodity brokers; and the services of bank holding companies.

(10) **Public Road**

Any road or highway which is now or hereafter designated and maintained by the N.C. Department of Transportation as a part of the State Highway System, whether primary or secondary, hard-surfaced or other dependable highways, and any road which is a neighborhood public road as defined by North Carolina General Statute 136-67, which definition is incorporated into this section by reference.

(11) **Public/Semi-Public Facilities**

An electricity or gas substation, water or wastewater pumping station, telephone repeater station, water storage tank, reservoir, or similar structures used as an intermediary switching, boosting, distribution, or transfer station for electricity, water, wastewater, cable television, or telephone services between the point of generation and the end user, or a wastewater treatment plant, but not including satellite dish antennas, facilities for the handling of solid waste, or radio, television, or microwave transmission or relay towers.

(12) **Public Sewage Disposal System**

A wastewater treatment system serving as a minimum fifteen (15) or more dwelling units and approved by the appropriate agent of the state of North Carolina. This definition is not to be inferred as limited to publicly owned or operated systems, as such systems may be owned and operated by either public or private enterprise.

(13) **Public Water Supply**

Any water supply furnishing potable water to fifteen (15) connections, or combination of twenty-five (25) residences or businesses so approved and designated by the appropriate agent of the state of North Carolina. This definition is not to be inferred as limited to publicly owned or operated systems, as such systems may be owned and operated by either public or private enterprise.

(Q) **"Q"**

(1) **Quarrying**

A place where minerals as defined in the N.C. General Statutes in Article 7 Chapter 74 are excavated for building or other purposes. Quarries are characterized by any of the following: 1). industrial or dimension stone is excavated; 2). dewatering; 3). the use of explosives; 4). the excavated material is processed prior to sale or delivery off site; 5). stone faces are left in reclamation; and 6). re-injection wells may be used.

(R) **"R"**

(1) **Restaurant**

A public or private enterprise designed in whole or in part to accommodate and cater to the consumption of food and/or drink, as regulated by the ABC law, either for on site or off site consumption, and can be conducted within enclosed space or as open air activity.

(2) **Retail Sales, Less Than or Equal to 10,000 Square Feet**

Retail establishments with a gross floor area (including storage) of less than or equal to 10,000 square feet providing general merchandise to the public including motor fuels.

(3) **Retail Sales, More Than 10,000 Square Feet**

Retail establishments with a gross floor area (including storage) of more than 10,000 square feet providing general merchandise to the public including motor fuels.

(4) **Retreat Center**

A new or existing facility operated by a corporation or association of persons or churches for social and recreational purposes. A retreat center may be owned by a profit or not-for-profit organization.

(S) **"S"**

(1) **Screening**

A fence, wall, hedge, landscaping, earth berm, buffer area or any combination of these provided to create a visual and/or physical separation between certain land uses. Screening may be located on the property line or elsewhere on the site.

(2) **Semi-Trailer**

Any motor vehicle, other than a pole trailer, which is designed to be drawn by another motor vehicle and is constructed so that some part of its weight rests upon the self-propelled towing vehicle.

(3) **Septage**

A waste that is a fluid mixture of partially treated sewage solids, liquids and sludge of human or domestic waste origin, pumped from septic tanks, residential grease traps, or privies. Septage shall be considered that waste which has not been treated by a process to significantly reduce pathogens.

(4) **Sign**

Any object, device, or structure, or part thereof, situated outdoors which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, or any fraternal, religious or civic organizations; works of art which in no way identify a product; or scoreboards located on athletic fields.

(5) **Site Built Home**

A dwelling unit constructed in accordance with the standards set forth in the North Carolina Building Code real title (Uniform residential code for single family dwellings) and composed of components substantially assembled on site on a permanent foundation. A site built home shall be deemed to be a single-family dwelling as defined in this Ordinance.

(6) **Site Specific Development Plan**

A plan of land development submitted to the appropriate approval authority for the purpose of obtaining one of the following approvals/permissions pursuant to N.C.G.S. 153A-334.1:

- (a) A major site plan prepared for a Special Exception to this ordinance based upon such required and official site plan;
- (b) A Planned Unit Development Plan jointly receiving permissions/authority under the terms of this ordinance and the Subdivision Ordinance, thus a combined Zoning Special Exception and preliminary plat.
- (c) Or such other combination of approvals and permissions under both this ordinance and the Subdivision Ordinance as from time to time may be developed in accordance with the intent of this General Statute.

(7) **Sludge**

Any solid, semi-solid, or liquid waste generated from a residential, commercial, municipal, or industrial wastewater treatment plant or water supply treatment plant not considered to be hazardous by EPA or the NC Department of Human Resources, Solid and Hazardous Waste Branch. Sludge shall be considered that waste which has been treated by a process to significantly reduce pathogens.

(8) **Solid Waste**

Any garbage, refuse, septage, sludge or any other waste material which is not considered hazardous by the US Environmental Protection Agency (EPA) or the North Carolina State Department of Human Resources, Solid and Hazardous Waste Branch.

(9) **Sound**

The sensation perceived by the sense of hearing, i.e., mechanical radiant energy that is transmitted by longitudinal pressure waves in air, or other material medium, and is the objective cause of the sensation of hearing.

(10) **Stable, Commercial**

A commercial operation where horses are kept for purposes such as boarding, hire or sale.

(11) **Stable, Private**

A structure in which horses are kept for private use.

(12) **Storage, Open-Air**

The storage of goods, bulk materials or discarded items in the open or under a structure containing a roof but no walls.

(13) **Stormwater Removal**

Evacuation of surface water accumulation that does not lower the natural water table.

(14) **Street**

A pedestrian, bicycle, vehicular, storm drainage and utility right-of-way providing access to a lot.

(15) **Structure**

Anything, excluding paving, constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, screened enclosure, fences, advertising signs, billboards, poster panels, swimming pools, manufactured houses, modular houses, and underground shelters.

(16) **Structural Alterations**

Any change in the supporting members of a structure such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

(T) **"T"**

(1) **Terminal, Freight**

Any facility for handling freight with or without storage and maintenance facilities. This definition includes all uses in the following SIC groups:

- (a) Trucking and Courier Services, Except Air.
- (b) Trucking Terminal Facilities.

(2) **Transmission Tower**

A structure, either freestanding or attached to a building, principally intended to support and/or radiate or receive a source of non-ionizing electromagnetic radiation (NIE), and accessory equipment related to broadcast services, private radio services, cellular telephone services, and common carriers (as regulated by the Federal Communications Commission), including AM, FM, two-way radio, television and cable antenna television transmission and reception, and microwave transmission.

For purposes of this definition, broadcast services include AM and FM radio and high and low power television signals which can be received by anyone with a radio or television. Private radio services include land-mobile or two-way and one-way paging services on the same frequency to many users.

The term transmission tower does not include electrical or telephone transmission lines or supporting structures, antennae of amateur radio (ham) operators, amateur club services licensed by the Federal Communications Commission, satellite dishes, and antennae less than sixty (60) feet in height with transmitting power of two hundred fifty (250) watts or less.

(3) **Truck Terminal**

A facility where cargo is stored and where trucks load and unload cargo on a regular basis.

(U) **"U"**

None.

(V) **"V"**

(1) **Veterinary Establishment**

A place specializing in the care, diagnosis and treatment of animals in need of medical or surgical attention. A veterinary establishment may have as an integral part of it, pens, stalls or cages for quarantine or observation, designed or arranged to minimize noise impacts.

(W) **"W"**

(1) **Warehouse**

The indoor storage of goods, materials, or merchandise for shipment to or processing on other property.

(2) **Wastewater Treatment Facility**

A facility operated by a licensed utility and or unit of government in compliance with all applicable State and County regulations, intended or used for the treatment and surface or subsurface disposal of wastewater and which serves more than one (1) use or more than four (4) dwelling units or facility intended or used for the treatment and subsurface disposal of wastewater which serves only one (1) use or up to four (4) dwelling units.

(3) **Wholesale Establishment**

A building, property, or activity the principal use or purpose of which is the sale of goods, products, or merchandise stored on the premises to persons who are intermediaries between the producer and the consumer.

(4) **Wood Waste Grinding Operation**

A permanent operation that receives organic wastes to be treated or processed for recycling or reuse in soil-plant related industries including activities such as grinding or chipping land clearing debris, high carbon nitrogen yard waste into mulch or boiler fuel. Such operation would be in existence for a period greater than six (6) months.

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(X) **"X"**

None.

(Y) "Y"

(1) **Yards – Definition, Location, and Measurement**

(a) Yard.

A required open space on the same lot with a structure. Such open space shall be unoccupied and shall be unobstructed by any portion of any structure from ground level upward. Certain exceptions to this definition appear elsewhere in this Chapter, and the following general exceptions also apply:

(i) Yard, front.

A yard extending between the side lot lines across the portion of a lot adjacent to a street. On corner lots, the front yard shall be provided facing the street on which the lot has its lesser dimension, providing that on streets on the Major Thoroughfare Plan, front yards shall also be provided facing such major streets.

(ii) Yard, side.

A yard extending along the side of a lot between the rear line of the front yard and the rear lot line. In areas with reversed frontage lotting where the front yard of one (1) lot adjoins the side yard or rear yard of another, the side yard involved shall be the width required in the district for that portion extending from the rear line of the front yard to the front line of the rear yard, and then shall run from the front line of the rear yard to the point of intersection of the rear line of the adjoining front yard with the lot line involved. Where through lots are involved, the side yard shall be considered as extending along the side of the lot between the rear lines of the front yards involved.

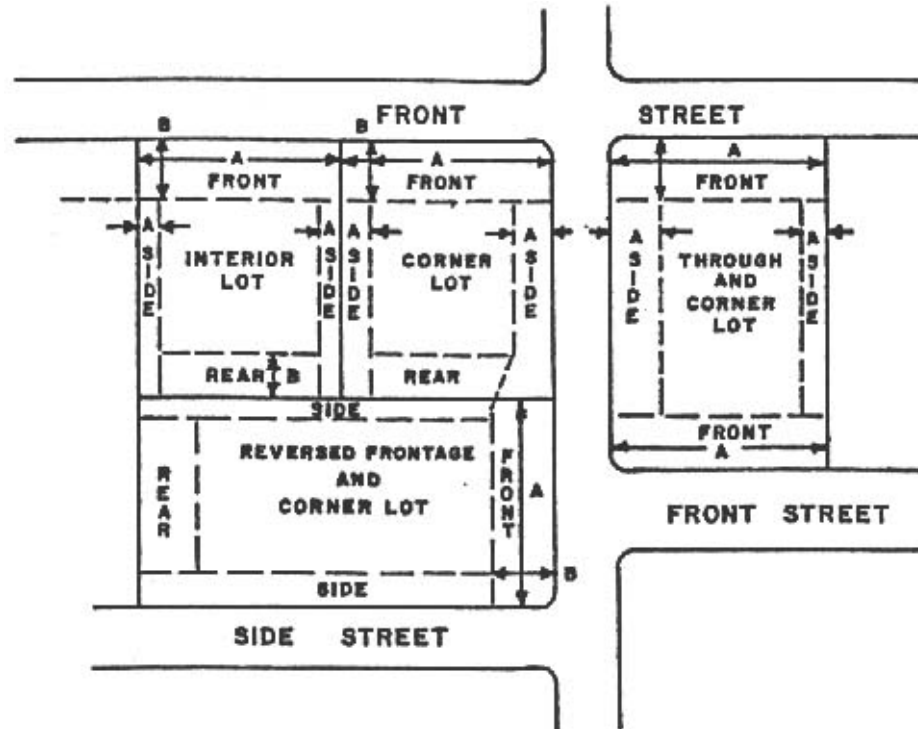
(ii) Yard, rear.

A yard extending across the rear of the lot between the side yard lines. The rear yard shall be at the opposite end of the lot from the front yard, excepting in the case of through lots. Screened swimming pools, patios, garden and yard equipment storage sheds, shelters, and other accessory structures may be located within rear yards. However, no portions of any structure shall be erected closer than ten (10) feet to the rear lot line, except as otherwise noted.

(2) **Rectangular Lots – Yard Nomenclature, Location, And Measurement.**

The following diagram and text define the terminology used in this chapter with reference to front, side, and rear yards on interior, corner, reversed frontage, and

through lots of rectangular shape and the manner in which required yard shall be measured:



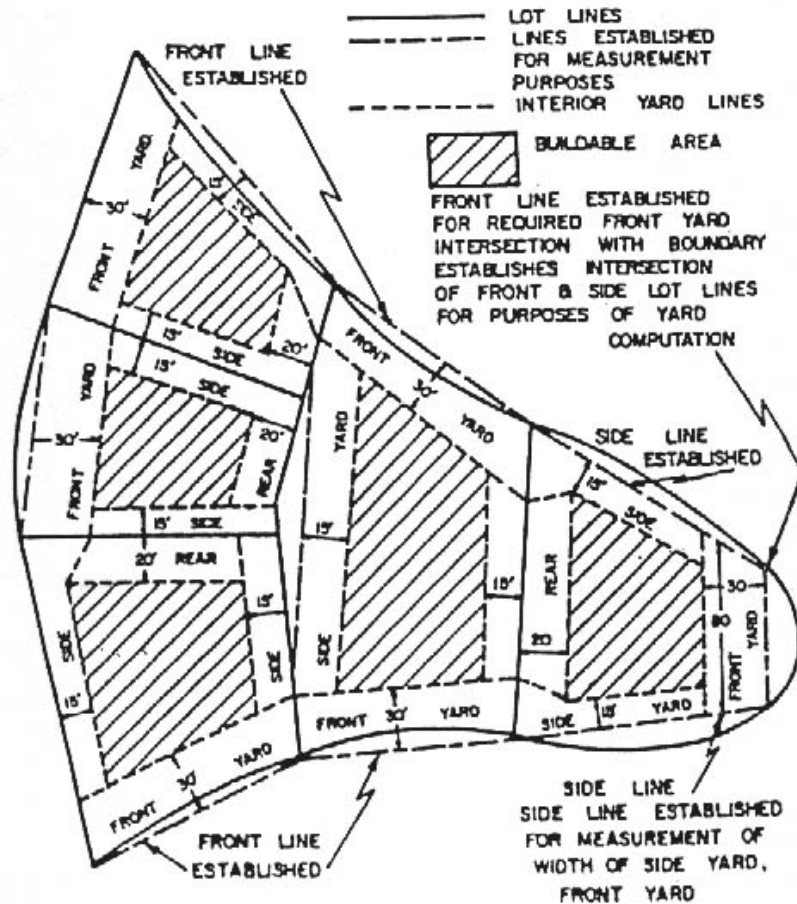
(a) Yard measurement.

In measurement of required yards, width shall be measured across the axis of the lot running parallel to the right-of-way of the street or streets on which the lot fronts; depth measure along the axis of the lot running perpendicular to the street or streets on which the lot fronts. In all measurements of yard which would be affected by corner radii at the intersections of streets, it shall be assumed that the lot lines meet at the same angle they would have formed without the corner radii and at the same point.

(3) Nonrectangular Lots – Yard Nomenclature, Location, And Measurement.

The following diagram and text define the terminology used in this chapter with reference to front, side, and rear yards on interior, corner, reversed frontage, and through lots of nonrectangular shape and the manner in which required yard shall be measured:

NonRectangular Lots-Methods for Measuring Widths and Depths of Yards:



(a) Yard measurement – nonrectangular lots.

(i) Yard, front.

The front line of a required front yard shall be considered to be a straight line connecting the foremost points of the side lot lines. Depth of the required front yard shall be measured at right angles to this line, and the front and rear lines of the required front yard shall be parallel.

The width of a required front yard shall be measured along the rear line of such yard between side lines established by connecting the ends of the front and rear lot line with straight lines.

For lots having curvilinear boundaries which do not form a clear break between front and side lot lines, the front line of the required front yard shall be considered to be a straight line extending a distance of not less than eighty (80) percent of the required lot width, and connecting the boundaries of the lot, provided that this eighty (80) percent requirement shall not apply in the case of lots on the turning circle of cul-de-sacs, or on waterfronts. The point at which this front line intersects the lot boundaries shall be considered to be the intersection of front and side lot lines. Depth of the required front yard shall be measured at right angles to this line, and the front and rear lines of the required front yard shall be parallel.

(ii) Yard, side.

The width of required side yards shall be measured perpendicular to a straight line connecting the ends of front and rear lot lines, and the inner and outer side yard lines shall be parallel, except in the case of side lot lines tapering on reversed frontage lots.

(iii) Yard, rear.

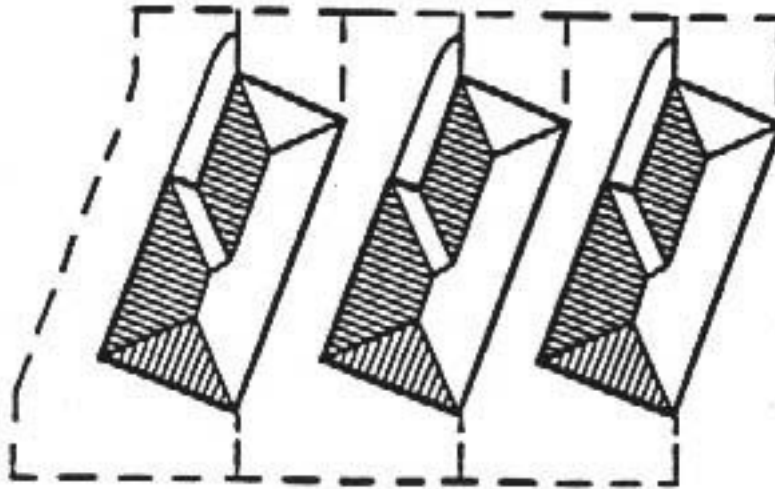
The rear line of a rear yard shall be established as that portion of a straight line connecting the rearmost points of the side lot lines which lie between the inner lot lines of the required side yards. Depth of the required rear yard shall be measured at right angles to this line, and the rear and front lines of the rear yard shall be parallel.

(Z) "Z"

(1) **Zero Lot Line**

The location of a building on a lot in such a manner that one (1) or more of the building's sides rests directly on a lot line.

ZERO LOT LINE



(2) **Zoning Vested Right**

A right pursuant to N.C.G.S. 153A-344.1 to undertake and complete the development and use of land under the terms and conditions of an approved site development plan.